

REMARKS

Claims 13, 20, and 22-29 are pending in the application. Claim 20 has been withdrawn. Claims 13 and 22-29 are rejected. Claim 13 has been amended herein. No new matter has been added.

Election/Restrictions

The present Office Action states that “Newly submitted Claims 23 and 25 are directed to an invention that is independent or distinct from the invention originally claimed for the following reasons”. “The elected invention is Species A, Figure 3 and the features of Claims 23 and 25 are not directed to, or are not shown in, Figure 3. Furthermore, the features of Claims 23 and 25 are disclosed as separate embodiments (page 4, lines 4-11), thus each is held as being patentably distinct [sic] from one another.” Office Action, mailed May 7, 2007, page 2, paragraph 5. Applicants respectfully assert that the features of Claims 23 and 25 are directed to Figure 3, as disclosed in Applicants’ specification, page 4, lines 4-11.

Applicants’ response to the Non-Final Office Action (October 19, 2006) states, “Applicants affirm that during a telephone conversation [sic] with an Examiner on October 13, 2006, Applicants’ representative Mr. Duke Amaniampong made a provisional election, without traverse, to prosecute the invention of Species A, Figure 3, Claim 13”.

Page 4, lines 4-7 of Applicants’ specification, further describes Figure 3 as having many variations. “For example, it might be desirable to use lower and upper bearings 44, 46 with different outer diameters. Likewise, it might be desirable to use lower and upper bearings 44, 46 with different inner bores.” Claim 23 discloses an upper bearing and a

lower bearing having different inner bores. Claim 25 discloses an upper bearing and a lower bearing having different outer diameters. Thus, the specification describes Figure 3 and the depicted invention as having possible variations.

Applicants respectfully request that dependent Claims 23 and 25 be considered as being directed to the elected invention of independent Claim 13.

35 U.S.C. §103 Rejections

Claims 13, 22, 24, 27 and 28

Claims 13, 22, 24, 27 and 28 are rejected under 35 U.S.C. 103(a) as being unpatentable over the AAPA in view of Kitahara et al. (U.S. Patent No. 4,900,958) (hereinafter, Kitahara). The Applicants have reviewed the cited references and respectfully submit that the present invention as is recited in Claims 13, 22, 24, 27 and 28 is neither shown nor suggested by AAPA in view of Kitahara.

The Examiner is respectfully directed to amended independent Claim 13 which sets forth an embodiment of the present invention:

A method of assembling an actuator arm system for a hard disk drive comprising:
positioning a lower bearing on a flange, the lower bearing having an inner race and an outer race, wherein the flange supports the inner race in an axial direction relative to a shaft;
 placing an actuator arm on the outer race of the lower bearing wherein the actuator arm is in contact with the outer race of the lower bearing;
 placing an upper bearing on the shaft, the upper bearing having an inner race and an outer race;
 applying an adhesive between the inner race of the upper bearing and the shaft;
 applying an axial preload force to the inner race of the upper bearing;
 curing the adhesive; and

releasing the preload force.

(Emphasis added) Support for this amendment is found on page 2, lines 25-26 of the application, “The shaft 40 has a flange 41 that restrains the lower bearing 44.”, as well as being depicted in Figure 3. Claims 22, 24, 27, and 28 depend from Claim 13 and recited further limitations of the claimed invention.

AAPA does not anticipate or render obvious “positioning a lower bearing on a flange, the lower bearing having an inner race and an outer race, wherein the flange supports the inner race in an axial direction relative to a shaft” as is recited in Claim 13. In order to meet the limitations of Claim 13, a reference (or combination of references) must teach or suggest, either expressly or inherently, in addition to other limitations of Claim 13: (1) positioning a lower bearing on a flange; (2) the lower bearing having an inner race and an outer race; and (3) wherein the flange supports the inner race in an axial direction relative to a shaft.

By contrast, AAPA merely discloses a flange that separates the upper bearing 26 and the lower bearing 24. It fails to disclose a flange which supports the inner race in an axial direction relative to a shaft. Furthermore, AAPA fails to disclose “placing an actuator arm on the outer race of the lower bearing wherein the actuator arm is in contact with the outer race of the lower bearing”, as recited in amended Claim 13.

Kitahara does not overcome the deficiencies of AAPA noted in the discussion above. AAPA in combination with Kitahara does not anticipate or render obvious “positioning a lower bearing on a flange, the lower bearing having an inner race and an outer race, wherein the flange supports the inner race in an axial direction relative to a

shaft” as is recited in Claim 13 (and similar limitations of Claims 22 through 29), and/or “placing an actuator arm on the outer race of the lower bearing wherein the actuator arm is in contact with the outer race of the lower bearing”. By contrast, Kitahara merely discloses bearings 56 and 61 to be vertically positioned on top of armature 5. Additionally, Kitahara fails to disclose an armature in direct contact with the outer race of a lower bearing. (Kitahara, Figure 7)

Consequently, the Applicants respectfully submit that AAPA alone or in combination with Kitahara does not anticipate or render obvious the present claimed invention as set forth in Claims 13, and as such, Claim 13 is in condition for allowance. Moreover, Claims 22, 24, 27, and 28 are in condition for allowance as being dependent upon an allowable base claim.

Claim 26

Claim 26 is rejected under 35 U.S.C. §103(a) as being unpatentable over the AAPA in view of Kitahara, and applied to Claim 13 above, and further in view of Muraki et al. (U.S. Pat. No. 6,761,485) (hereinafter, Muraki). However, Muraki does not overcome the deficiencies of AAPA or Kitahara. Muraki fails to disclose “positioning a lower bearing on a flange, the lower bearing having an inner race and an outer race, wherein the flange supports the inner race in an axial direction relative to a shaft” and/or “placing an actuator arm on the outer race of the lower bearing wherein the actuator arm is in contact with the outer race of the lower bearing” as recited in Claim 13.

Consequently, Applicants respectfully submit that AAPA in view of Kitahara, and in further view of Muraki does not anticipate or render obvious the present claimed invention as set forth in Claim 26 and is in condition for allowance.

Claim 29

Claim 29 is rejected under 35 U.S.C. §103(a) as being unpatentable over the AAPA in view of Kitahara, and applied to Claim 13 above, and further in view of Sakuragi (U.S. Pat. No. 5,949,165) (hereinafter, Sakuragi). However, Sakuragi does not overcome the deficiencies of AAPA or Kitahara. Sakuragi fails to disclose “positioning a lower bearing on a flange, the lower bearing having an inner race and an outer race, wherein the flange supports the inner race in an axial direction relative to a shaft” and/or “placing an actuator arm on the outer race of the lower bearing wherein the actuator arm is in contact with the outer race of the lower bearing” as recited in Claim 13.

Consequently, Applicants respectfully submit that AAPA in view of Kitahara, and in further view of Sakuragi does not anticipate or render obvious the present claimed invention as set forth in Claim 29 and is condition for allowance.


CONCLUSION

In light of the above amendments, remarks, and arguments presented above, Applicants respectfully assert that Claims 13, and 22-29 overcome the rejections of record and, therefore, Applicants respectfully solicit allowance of these claims.

The Examiner is invited to contact Applicants' undersigned representative if the Examiner believes such action would expedite resolution of the present Application.

Respectfully submitted,
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